

Notice of Allowability

Application No.

10/728,902

Examiner

Tho v Duong

Applicant(s)

NAGAYAMA ET AL.

Art Unit

3743

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 6/18/2004.
2. ☒ The allowed claim(s) is/are 1-16.
3. ☒ The drawings filed on 08 December 2003 are accepted by the Examiner.
4. ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☒ All b) ☐ Some* c) ☐ None of the:
 1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
 6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
 - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date 12/8/2003
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☒ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____

Heidi Bennett
Supervisor Patent Examiner
Group 3700

EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Attorney Glen Law on 7/7/2004.

The application has been amended as follows:

In the specification, on page 7, at line 6, after "ASTM", -- (The American Society for Testing and Materials standard) -- has been inserted.

In claim 1, at line 2, after "a heat radiating portion", 'adapted' has been deleted and -- configured -- has been inserted.

In claim 1, at line 3, after "whose surface is", 'adapted' has been deleted and -- configured -- has been inserted.

In claim 1, at line 5, after "of the vehicle", -- so that heat is exchanged between the vehicle body and the heat receiving and radiating portion by thermal conduction -- has been inserted.

In claim 14, at line 2, after "steel", -- plate -- has been inserted.

In claim 15, at line 2, after "heat radiating means", 'adapted' has been deleted, and -- configured-- has been inserted.

In claim 15, at line 3, after "whose surface is", 'adapted' has been deleted, and -- configured -- has been inserted.

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In claim 15, at line 5, after "of the vehicle body", -- so that heat is exchanged between the vehicle body and the heat receiving and radiating means by thermal conduction-- has been inserted.

In claim 16, at line 3, after "member", 'adapted' has been deleted, and -- configured-- has been inserted.

In claim 16, at line 7, after "vehicle" (at begin line 7), -- so that heat is exchanged between the vehicle body and the heat receiving and radiating portion by thermal conduction-- has been inserted.

Election/Restrictions

Claims 3 and 13 have been withdrawn from further consideration pursuant to 37 CFR 1.142(b) as being drawn to a nonelected species, there being no allowable generic or linking claim. Election was made **without** traverse in the reply filed on 6/18/2004.

Allowable Subject Matter

Claims 1,2,4-12 and 14-16 are allowed. Upon the allowance of the generic claims 1,15 and 16, claims 3 and 13 are now rejoined. Therefore, claims 1-16 are now allowed.

The following is an examiner's statement of reasons for allowance: The prior art either taken singularly or in combination fails to disclose a heat radiating structure of an interior member comprising a heat radiation portion configured to be applied to a vehicle and disposed on a rear surface of an interior member whose surface is configured to be applied with external energy; a heat receiving and radiating portion connected to a vehicle body of the vehicle so that heat is exchanged between the vehicle body and the heat receiving and radiating portion by thermal conduction; and a reflecting member cooperating with the heat radiating portion and the

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heat receiving and radiating portion to define a closed space so that heat radiation is reflected toward the heat receiving and radiating portion from the heat radiating portion. Reference to Meinel et al. (US 4,337,758) is the closest prior art to the invention. However, the reference does not disclose a heat radiating portion located on a rear surface of an interior member whose surface is applied with external energy and heat is radiating from the heat radiating portion.

NOTE: Since claim 15 uses means plus function format, it gives rise to the interpretation under 35 USC 112, par 6 in light of and consistent with the written description of the invention in the application.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Saunders (US 4,078,603) discloses a solar collector and heating and cooling system.

F. Trombe (US 3,310,102) discloses a device for lowering the temperature of a body by heat radiation therefrom.

R. X. Meyer (US 3,174,537) discloses an electromagnetic radiant energy response apparatus.

Meinel et al. (US 4,337,758) discloses a solar energy collector and converter.

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Chang et al. (US 5,405,680) discloses selective emissivity coating for interior temperature reduction of an enclosure.

Aronson (US 4,030,316) discloses a passive cooler.

Petrick et al. (US 4,423,605) discloses a radiative cooler.

Kunz (US 4,264,664) discloses a metal coated plastic foil and its use.

Ohba et al. (US 4,668,873) discloses a vehicle mounted electronic apparatus.

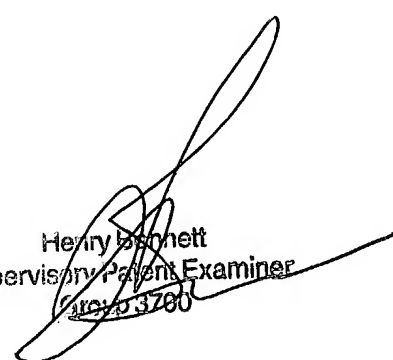
Any inquiry concerning this communication or earlier communication from the examiner should be directed to Tho Duong whose telephone number is (703) 305-0768. The examiner can normally be reached on from 9:30-6 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Henry Bennet, can be reached on (703) 308-0101. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to status of this application or proceeding should be directed to the receptionist whose telephone number is (703) 308-0861.

Tho Duong

July 9 2004


Henry Bennett
Supervisory Patent Examiner
(703) 308-0101